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Counsel to the Debtors and  
Debtors in Possession

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

- - - - - x  
In re: : Chapter 11  
:  
CIRCUIT CITY STORES, INC., : Case No. 08-35653 (KRH)  
et al., :  
:  
Debtors. : Jointly Administered  
- - - - - x

**SUPPLEMENTAL ORDER ON DEBTORS' FIFTY-EIGHTH  
OMNIBUS OBJECTION TO CLAIMS (RECLASSIFICATION  
OF CERTAIN MISCLASSIFIED CLAIMS TO  
GENERAL UNSECURED, NON-PRIORITY CLAIMS)**

THIS MATTER having come before the Court on the  
Debtors' Fifty-Eighth Omnibus Objection to Claims  
(Reclassification of Certain Misclassified Claims to General  
Unsecured, Non-Priority Claims) (the "Objection"), which  
requested, among other things, that the claims specifically

identified on Exhibit C attached to the Objection be reclassified into general unsecured, non-priority claims for those reasons set forth in the Objection; and it appearing that due and proper notice and service of the Objection as set forth therein was good and sufficient and that no other further notice or service of the Objection need be given; and it further appearing that certain Claimants filed a response to the Objection; and a hearing on the merits having been held on April 6, 2010; and it appearing that the relief requested on the Objection is in the best interest of the Debtors, their estates and creditors and other parties-in-interest; and after due deliberation thereon good and sufficient cause exists for the granting of the relief as set forth herein,

IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

1. The Objection is GRANTED.
2. The Claims identified on Exhibit A as attached hereto and incorporated herein are reclassified in their entirety to general unsecured claims.
3. To the extent any of the agreements allegedly giving rise to the claims filed by Kelly Brietenbecher and James H. Wimmer, Jr. as set forth on Exhibit A are or were executory and they have been or are subsequently rejected by

the Debtors, nothing in this Order shall prohibit a Claimant who filed a Claim from filing a rejection damages claim (as a priority claim or otherwise) by the applicable bar date or impair the Debtors' right to object to any such rejection damages claim that is filed on any ground that governing law permits. For the avoidance of doubt, nothing herein shall be deemed to extend any bar date.

4. With respect to the Claims, this Order shall control over the Order on Debtors' Fifty-Eighth Omnibus Objection to Claims (Docket No. 6067).

5. The Debtors' rights to object to any claim, including (without limitation) the Claims, on any grounds that applicable law permits are not waived and are expressly reserved.

6. The Debtors shall serve a copy of this Order on the claimants included on the exhibits to this Order on or before five (5) business days from the entry of this Order.

7. This Court shall retain jurisdiction to hear and determine all matters arising from or relating to this Order.

Dated: Richmond, Virginia  
Apr 13 2010, 2010

/s/ Kevin R. Huennekens  
\_\_\_\_\_  
HONORABLE KEVIN R. HUENNEKENS

Entered on docket: April 14 2010

WE ASK FOR THIS:

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/s/ Douglas M. Foley  
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Counsel to the Debtors and Debtors in Possession

**CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)**

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby  
certify that the foregoing proposed order has been endorsed  
by or served upon all necessary parties.

/s/ Douglas M. Foley  
Douglas M. Foley

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In re Circuit City Stores, Inc, et al.  
Case No. 08-35653 (KRH)

Debtors' Fifty-Eighth Omnibus Objection to Claims  
Supplemental Order (Reclassification Of Certain Claims To

**EXHIBIT A**

CLAIM TO BE MODIFIED	CLAIM AS DOCKETED*	CLAIM AS MODIFIED
<p>Claim: 9584 Date Filed: 01/30/2009 Docketed Total: \$1,749,707.14 Filing Creditor Name and Address: JAMES H WIMMER JR 12928 CHURCH RD RICHMOND, VA 23233</p>	<p>Claim Holder Name and Address Case Number: 08-35653 WIMMER JR, JAMES H Docketed Total: <b>\$1,749,707.14</b> RICHMOND, VA 23233</p> <p><u>503(b)(9)</u> <u>Reclamation</u> <u>Admin</u> <u>Secured</u> <u>Priority</u> <u>Unsecured</u> \$107,500.00 \$1,642,207.14</p>	<p>Case Number: 08-35653 Modified Total: <b>\$1,749,707.14</b></p> <p><u>503(b)(9)</u> <u>Reclamation</u> <u>Admin</u> <u>Secured</u> <u>Priority</u> <u>Unsecured</u> \$1,749,707.14</p>
<p>Claim: 7786 Date Filed: 01/29/2009 Docketed Total: \$1,046,083.00 Filing Creditor Name and Address: KELLY BREITENBECHER SANDS ANDERSON MARKS &amp; MILLER PC PO BOX 1998 RICHMOND, VA 23218-1998</p>	<p>Claim Holder Name and Address Case Number: 08-35653 KELLY BREITENBECHER Docketed Total: <b>\$1,046,083.00</b> SANDS ANDERSON MARKS &amp; MILLER PC PO BOX 1998 RICHMOND, VA 23218-1998</p> <p><u>503(b)(9)</u> <u>Reclamation</u> <u>Admin</u> <u>Secured</u> <u>Priority</u> <u>Unsecured</u> \$300,000.00 \$746,083.00</p>	<p>Case Number: 08-35653 Modified Total: <b>\$1,046,083.00</b></p> <p><u>503(b)(9)</u> <u>Reclamation</u> <u>Admin</u> <u>Secured</u> <u>Priority</u> <u>Unsecured</u> \$1,046,083.00</p>
<p>Claim: 9544 Date Filed: 01/30/2009 Docketed Total: \$0.00 Filing Creditor Name and Address: SANDISK CORPORATION OMELVENY &amp; MYERS LLP 2 EMBARCADERO CENTER 28TH FL SAN FRANCISCO, CA 94111-3823</p>	<p>Claim Holder Name and Address Case Number: 08-35653 SANDISK CORPORATION Docketed Total: <b>UNL</b> OMELVENY &amp; MYERS LLP 2 EMBARCADERO CENTER 28TH FL SAN FRANCISCO, CA 94111-3823</p> <p><u>503(b)(9)</u> <u>Reclamation</u> <u>Admin</u> <u>Secured</u> <u>Priority</u> <u>Unsecured</u> \$0.00 UNL UNL</p>	<p>Case Number: 08-35653 Modified Total: <b>UNL</b></p> <p><u>503(b)(9)</u> <u>Reclamation</u> <u>Admin</u> <u>Secured</u> <u>Priority</u> <u>Unsecured</u> \$0.00 UNL</p>
<p>Claim: 5836 Date Filed: 01/26/2009 Docketed Total: \$2,019,596.68 Filing Creditor Name and Address: THQ INC JEFFER MANGELS BUTLER &amp; MARMARO LLP 1900 AVE OF THE STARS 7TH FL LOS ANGELES, CA 90067</p>	<p>Claim Holder Name and Address Case Number: 08-35653 THQ INC Docketed Total: <b>\$2,019,596.68</b> JEFFER MANGELS BUTLER &amp; MARMARO LLP 1900 AVE OF THE STARS 7TH FL LOS ANGELES, CA 90067</p> <p><u>503(b)(9)</u> <u>Reclamation</u> <u>Admin</u> <u>Secured</u> <u>Priority</u> <u>Unsecured</u> \$0.00 \$2,019,596.68</p>	<p>Case Number: 08-35653 Modified Total: <b>\$2,019,596.68</b></p> <p><u>503(b)(9)</u> <u>Reclamation</u> <u>Admin</u> <u>Secured</u> <u>Priority</u> <u>Unsecured</u> \$0.00 \$2,019,596.68</p>
		<p><b>Total Claims To Be Modified: 4</b> <b>Total Amount As Docketed: \$4,815,386.82</b> <b>Total Amount As Modified: \$4,815,386.82</b></p>

\* "UNL" denotes an unliquidated claim.

# CERTIFICATE OF NOTICE

District/off: 0422-7  
Case: 08-35653

User: frenchs  
Form ID: pdforder

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Apr 14, 2010

The following entities were noticed by first class mail on Apr 16, 2010.  
aty +Gregg M. Galardi, Skadden Arps Slate Meagher, & Flom LLP, One Rodney Sq., PO Box 636,  
Wilmington, DE 19899-0636

The following entities were noticed by electronic transmission.  
NONE.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 16, 2010

Signature:

